IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 11993 of 2007(C)

PETITIONER:

M/S.A-ONE BOTTLES & PLASTICS,
M.H.KAVALA, PONJASSERY P.O.,
PERUMBAVOOR, REPRESENTED BY ITS
MANAGING PARTNER, C.A.ABDUL SAMAD S/O.ABOOBACKER,
CHIRAYILAN HOUSE, KANDANTHARA, ALLAPPARA P.O.,
PERUMBAVOOR.

BY ADV. SRI.C.K.ABDUL REHIM

RESPONDENTS:
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1. THE CIRCLE INSPECTOR OF POLICE, PERUMBAVOOR.

2. THE SUB INSPECTOR OF POLICE,PERUMBAVOOR.

3. THE KERALA STATE POLLUTION CONTROL BOARD
REP. BY ITS ENVIORNMENTAL ENGINEER,
REGIONAL OFFICE, GANDHI NAGAR, KOCHI-682020.

4. THE VENGOLA GRAMA PANCHAYATH,
REP. BY ITS SECRETARY, VENGOLA (P.O.),PERUMBAVOOR.

5. PARETH, THEKKEMALIL HOUSE,
M.H.KAVALA, THANDEKKADU PONJASSERY P.O.,
PERUMBAVOOR.

6. SHAMEER, S/O.PAREETH, M.H.KAVALA,
THANDEKKADU, PONJASSERY P.O.,
PERUMBAVOOR.

7. SADHIK, S/O.PAREETH,M.H.KAVALA,THANDEKKADU,
PONJASSERY P.O.,PERUMBAVOOR.

8. SIYAD, S/O.PAREETH,M.H.KAVALA,THANDEKKADU,
PONJASSERY P.O.,PERUMBAVOOR.

9. MUSTHAFA, CHUNDAKKADAN HOUSE,
M.H.KAVALA,THANDEKKADU,
PONJASSERY P.O.,PERUMBAVOOR.

R3 BY S.C.SRI.M.K.CHANDRAMOHAN DAS
R1 & R2 BY G.P.SRI.P.A.SALIM
BY ADV. SRI.K.K.CHANDRAN PILLAI
SRI.R.V.SATHYAPRIYAN NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.11993/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE LICENSE ISSUED BY THE GRAMA PANCHAYATH FOR THE YEAR 2000-01.

EXT.P2: COPY OF THE LICENCES FOR THE YEAR 2006-07.

EXT.P3: COPY OF THE PERMIT RENEWAL ORDER OF THE POLLUTION CONTROL BOARD, DATED 14.8.2003.

EXT.P4: COPY OF THE CONSENT OF THE BOARD, DT. 5.9.2003.

EXT.P5: COPY OF THE CONSENT ORDER ISSUED BY THE 3RD RESPONDENT BOARD, DATED 23.3.2007.

EXT.P6: COPY OF THE FIR IN CRIME NO.319/07 OF PERUMBAVOOR POLICE STATION.

EXT.P7: COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE RESPONDENTS 1 AND 2, DATED 28.3.2007.

// TRUE COPY //

TKS

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)No.11993 OF 2007

Dated 13th April, 2007

JUDGMENT

Koshy,J.

This is a petition for police protection. If the the petitioner has got all the required licenses and the establishment is functioning strictly as per the conditions in the licences, police shall give adequate protection for functioning of the petitioner's industry. If the contesting respondents have any problem regarding the pollution and other aspects, they can file objections and if objections are filed, it should be heard by the statutory authority with notice to other side as expeditiously as possible. But, in the absence of any prohibitory orders, if petitioner has got all the required licenses and he is complied with all the conditions in the licenses, police shall give adequate protection. However, it is for the police and statutory authorities to verify whether petitioner has all the licenses and all conditions in the licenses are complied with.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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